



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

TUESDAY, January 30, 2001

The Senate met.

The Senate was called to order by Senator Fred Risser.

The roll was called and the following Senators answered to their names:

Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, Farrow, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Reverend Donnie Sims of The Jerusalem Baptist Church in Milwaukee.

The Senate remained standing and Senator Baumgart led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Robson, with unanimous consent, asked that the Senate recess until 12:30 P.M.

10:20 A.M.

RECESS

12:30 A.M.

The Senate reconvened.

Senator Risser in the chair.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 14

Relating to: modifying the session schedule for the 2001–2002 biennial session period and extending the deadline for the governor’s budget message.

By Senator Chvala; cosponsored by Representative Jensen.

Read.

Considered as privileged and taken up.

The question was: Shall **Senate Joint Resolution 14** be adopted?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, Farrow, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A.

Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Adopted.

Senator Moen, with unanimous consent, asked that all action be immediately messaged to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 34

Relating to: classifying certain teachers employed by the state as protective occupation participants under the Wisconsin retirement system.

By Senators Plache, Erpenbach, Burke, Schultz, Breske, Hansen, George, Robson, Risser, Moen and Roessler; cosponsored by Representatives Musser, Powers, Young, Turner, Balow, Pocan, Plouff, Plale, Travis, Gronemus, J. Lehman, Lassa, Huber, Hundertmark, Friske, Bock, Gunderson, Ladwig, Loeffelholz, Black, Ryba, Sykora, Freese, La Fave, Underheim, Williams and Albers.

To joint survey committee on **Retirement Systems**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin Department of Natural Resources

January 29, 2001

The Honorable, The Legislature:

Attached to this letter is a Report on the Future of Waste Management as required under [1997 Wisconsin Act 60](#). An Executive Summary and Appendices are included with the report.

If you need further information, please contact Sue Bangert, Bureau Director for Waste Management, at 266-0014.

Sincerely,

GEORGE E. MEYER
Secretary

State of Wisconsin Ethics Board

January 30, 2001

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people

authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

Ahner, Betsy Association	Wisconsin Fertilizer & Chemical	Gerlach, Chet Association	Wisconsin School Counselors
Babula, Mary Association, Inc.	Wisconsin Early Childhood	Gerrard, M William	Ashley Furniture Industries Inc
Blavat, Kate	Ameritech (Wis Bell Inc)	Hermes, Ronald	Wisconsin Perfusion Society
Blume, Ed Defense Lawyers	Wisconsin Association of Criminal	Hermes, Ronald Association	Wisconsin Physical Therapy
Boxer, Barbara K Insurance Corporation	Managed Health Services	Hilbert, Lisa Association	Wisconsin Physical Therapy
Boyce, Catherine	Ameritech (Wis Bell Inc)	Hilbert, Lisa	Wisconsin Perfusion Society
Boyce, Catherine SmithKline)	GlaxoSmithKline, Inc. (formerly	Hottenroth, Theresa M Inc.	Wisconsin Dietetic Association,
Bright, Michael	Midwest Express Airlines Inc	Leonhart, James Association, Inc.	Wisconsin Early Childhood
Brownlow, Charles	Wisconsin Optometric Association	Luria, Cheryl Glaxo Wellcome)	GlaxoSmithKline, Inc. (formerly
Broydrick, William SmithKline)	GlaxoSmithKline, Inc. (formerly	Matthews, John	Kwik Trip Inc
Broydrick, William	Ameritech (Wis Bell Inc)	Matthews, John Corporation	Community Corrections
Carey, Ray Corporation	Community Corrections	Matthews, John	Freight, Lime & Sand Hauling, Inc.
Carey, Ray	Freight, Lime & Sand Hauling, Inc.	Matthews, John	Print Tax Services
Carey, Ray	Print Tax Services	Matthews, John	United Community Center
Carey, Ray	United Community Center	McClenahan, William 39	Wisconsin Teamsters Joint Council
Carey, Ray	Kwik Trip Inc	McCoshen, Carol Insurance Corporation	Managed Health Services
Cieslewicz, David	1000 Friends of Wisconsin	McCoshen, William J Insurance Corporation	Managed Health Services
Creviston, Sarah SmithKline)	GlaxoSmithKline, Inc. (formerly	McCoshen, William J	Ameritech (Wis Bell Inc)
Cruz, Lorenzo	Ameritech (Wis Bell Inc)	McCoshen, William J	Robert W Baird and Company Inc
Deneen, Timothy	United Transportation Union	McDowell, Kelly 39	Wisconsin Teamsters Joint Council
Dennis, Virginia A	United Transportation Union	McElligott, Thomas	Wisconsin Manufacturers &
Dickert, John T	Freight, Lime & Sand Hauling, Inc.	McIntosh, Forbes	Wisconsin Assisted Living
Dickert, John T	Print Tax Services	Osborne, Patrick Insurance Corporation	Managed Health Services
Dickert, John T Corporation	Community Corrections	Osborne, Patrick	Midwest Express Airlines Inc
Dilweg, Sean Glaxo Wellcome)	GlaxoSmithKline, Inc. (formerly	Partenfelder-Moede, Peggy (formerly Glaxo Wellcome)	GlaxoSmithKline, Inc.
Driessen, Anthony Anesthetists	Wisconsin Association of Nurse	Peacock, Christine Corporation	Novartis Pharmaceuticals
Driessen, Anthony	Wisconsin Optometric Association	Plautz, Jolene	Kwik Trip Inc
Dwyer II, Thomas P	United Transportation Union	Potter, Rosemary	United Community Center
Early, Jessica 39	Wisconsin Teamsters Joint Council	Reed, Holly	Ameritech (Wis Bell Inc)
Elliott, Brian Inc.	Wisconsin Dietetic Association,	Rezin, Kathleen	United Community Center
Essie, Patrick Glaxo Wellcome)	GlaxoSmithKline, Inc. (formerly	Rezin, Kathleen	Print Tax Services
Fonfara, Thomas Anesthetists	Wisconsin Association of Nurse	Schreiber, Martin 39	Wisconsin Teamsters Joint Council
Fucik, Patrick L.P.	Sprint Communications Company	Skornicka, Carol	Midwest Express Airlines Inc
Gerlach, Chet L.P.	Sprint Communications Company	Spellmeyer, Grant Ltd	Chorus Communications Group
Gerlach, Chet	State Farm Insurance Companies	Stenger, Scott Association Inc	Wisconsin Athletic Trainers
Gerlach, Chet Attractions	Association of Wisconsin Tourism	Tenuta, James	Wisconsin Perfusion Society
		Tenuta, James Association	Wisconsin Physical Therapy

Theo, Peter
Theo, Peter
Winters, Amy
Association

Wisconsin Optometric Association
Lorillard Tobacco Company
Wisconsin Fertilizer & Chemical

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
ROTH JUDD
Director

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 00-048

Relating to delegation of duties by a pharmacist.

Submitted by Department of Regulation and Licensing.
Report received from Agency, January 26, 2001.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, January 30, 2001.

Senate Clearinghouse Rule 00-142

Relating to home inspector examination and continuing education requirements.

Submitted by Department of Regulation and Licensing.
Report received from Agency, January 26, 2001.

Referred to committee on **Universities, Housing, and Government Operations**, January 30, 2001.

Senate Clearinghouse Rule 00-156

Relating to supervising pharmacy interns.

Submitted by Department of Regulation and Licensing.
Report received from Agency, January 26, 2001.

Referred to committee on **Health, Utilities, Veterans and Military Affairs**, January 30, 2001.

MESSAGES FROM THE ASSEMBLY

By John Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 3

Assembly Joint Resolution 11

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 3

Relating to: the life and public service of Edgar E. Lien.

By Representatives Hahn, Wade, Ryba, Stone, Urban, Sherman, Rhoades, Ladwig, Nass, Gronemus, Albers, Krawczyk, McCormick and Vrakas; cosponsored by Senators Breske, Schultz, Welch, Risser, Rosenzweig, Farrow, Baumgart and Huelsman.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 11

Relating to: the life and public service of LeRoy Pete Litscher.

By Representatives Albers, Wade, Boyle, Freese, Gronemus, Hahn, Hundertmark, Jeskewitz, Ladwig, McCormick, Miller, Nass, Owens, Plouff, Powers, Rhoades, Ryba, Sykora, Turner, Vrakas, Walker and Williams; cosponsored by Senators Schultz, Breske, Darling, Farrow, Plache and Welch.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 4

Relating to: proclaiming May 18, 19, and 20, 2001, Syttende Mai Weekend.

Read.

Adopted.

Senate Joint Resolution 7

Relating to: proclaiming Prostate Cancer Awareness Month.

Read.

Adopted.

Senate Joint Resolution 8

Relating to: the life and public service of William Clayton Hicks.

Adopted by unanimous rising vote.

Senator Zien, with unanimous consent, asked to be added as a coauthor of **Senate Joint Resolution 8**.

Senator Zien, with unanimous consent, asked to be added as a coauthor of **Senate Joint Resolution 13**.

Senate Joint Resolution 9

Relating to: proclaiming April 19 as Patriot's Day.

Read.

Adopted.

Senate Joint Resolution 10

Relating to: the life and public service of Richard J. Zaborski.

Read.

Adopted by unanimous rising vote.

Senate Joint Resolution 11

Relating to: urging U.S. Secretary of Transportation Norman Mineta to support federal funding for immediate repair and reconstruction of the Hoan Bridge in Milwaukee.

Read.

Adopted.

Senate Joint Resolution 12

Relating to: commending the student athletes, coaches, and staff of the University of Wisconsin-Madison Volleyball Team for their achievements.

Read.

Adopted.

Senate Joint Resolution 13

Relating to: commending and congratulating Tommy G. Thompson for his public service to the people of Wisconsin.

Read.

Adopted.

Senate Bill 2

Relating to: the scope of regulation and reporting of information by nonresident registrants under the campaign finance law.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 2?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 2?**

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 2?**

Adopted.

Senate amendment 4 to **Senate Bill 2** offered by Senator Huelsman.

Senator Robson moved rejection of Senate amendment 4 to **Senate Bill 2.**

The question was: Rejection of Senate amendment 4 to **Senate Bill 2?**

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, Farrow, S. Fitzgerald, Harsdorf, Huelsman, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 15.

Absent or not voting – None.

Rejected.

Senate amendment 5 to **Senate Bill 2** offered by Senators Huelsman and Welch.

POINT OF ORDER

Senator Chvala raised the point of order that Senate amendment 5 was not germane.

The Chair ruled the point of order well taken.

Senator Welch appealed the ruling of the Chair.

The question was; Shall the ruling of the Chair stand as the judgement of the Senate?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, Farrow, S. Fitzgerald, Harsdorf, Huelsman, A. Lasee, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 15.

Absent or not voting – None.

The ruling of the Chair stands as the judgement of the Senate.

Ordered to a third reading.

Senator Chvala, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 2

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Decker, Ellis, Erpenbach, George, Grobschmidt, Hansen, Harsdorf, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Rosenzweig, Schultz, Shibilski and Wirch – 23.

Noes – Senators Darling, Farrow, S. Fitzgerald, Huelsman, A. Lasee, Lazich, Panzer, Roessler, Welch and Zien – 10.

Absent or not voting – None.

Passed.

Senate Bill 18

Relating to: funding for the badger care health care program and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 18?**

Adopted.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 18** offered by Senator Jauch.

Senator Jauch, with unanimous consent, asked that Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 18** be withdrawn and returned to author.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 18?**

Adopted.

Senators Harsdorf, Panzer, Darling and Zien, with unanimous consent, asked to be made coauthors of **Senate Bill 18.**

Ordered to a third reading.

Senator Chvala, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 18

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, Farrow, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, A. Lasee, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Passed.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Panzer, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Governor Tommy G. Thompson as he resigns to take his new position as head of the federal Health and Social Service Department.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jordan Woods–Wahl and Lindsey Lange students at Superior High School and Kevin Hoescher director of the Superior High School Orchestra for

their participation and testimony at the Education committee's hearing on school district revenue caps.

Senator Moen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senators Plache and Erpenbach's 40th birthdays.

Senator Farrow, with unanimous consent, asked that when the Senate adjourn, it do so in honor and memory of Al McGuire the long time coach of the Marquette Basketball team.

Senator Harsdorf, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Don Buchholz's birthday.

Senator Baumgart, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Aldo Leopold.

Senator Burke, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his oldest daughter, Colleen Marie Burke, who is celebrating her 16th birthday today.

Senator Zien, with unanimous consent, asked that when the Senate adjourn, it do so in honor and memory of former Representative Joe Looby.

Senator Chvala, with unanimous consent, asked that all action be immediately messaged to the Assembly.

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate adjourn until Wednesday, January 31, 2001 at 6:45 P.M. for the purpose of hearing the Governor's State of the State address.

Adjourned.

3:15 P.M

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 1

Report correctly enrolled on January 29, 2001.